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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/850,338	05/07/2001	Marko Schuba	52275-00003USPX	2528

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ERICSSON INC.
6300 LEGACY DRIVE
M/S EVR C11
PLANO, TX 75024

EXAMINER

DINH, MINH

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 04/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/850,338	Applicant(s) SCHUBA ET AL.	
	Examiner Minh Dinh	Art Unit 2132	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 and 17-36 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 17-36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Response to Amendment

1. This action is in response to the amendment filed 1/25/2005. Claims 1-15 and 17-25 have been amended; claim 16 has been canceled; claims 27-36 have been added.

Response to Arguments

2. Applicant's arguments filed 1/25/2005 have been fully considered but they are not persuasive. Applicant argues that Elgamal does not disclose, directly or inherently, calculating the identifier from the content and transmitting the authorization request with the identifier to the user equipment (p. 10, 4th par). Elgamal does teach that the merchant signs the authorization request message with public key cryptography and a hash function before transmitting the authorization request message with the signature to the user's computer (col. 9, lines 55-60; col. 5, lines 20-28; col. 21, lines 56-58). Elgamal also teaches including a hash with transmitted messages to provide data integrity (col. 4, lines 51-57; col. 9, lines 43-48). Regarding applicant's argument that the indication differs from the content for authorization (p. 11, lines 4-7), according to the specification, the indication can comprise all of the content for authorization (p. 12, lines 3-6).

Claim Objections

3. Claim 34 is objected to because of the following informalities: the claim cannot depend on itself. It is considered that the parent claim number "34" is a typo and the claim is interpreted to be a dependent claim of claim 33. Applicant may need to also check the dependency of claims 35-36. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 27-31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 27-31 depend on claim 14, which claims a server generating and transmitting an authorization request to a user equipment. However, the limitations recited in claims 27-31 are operations performed by the user equipment, not the server. For examination purpose, the limitations of the claims are interpreted as functions of the user equipment.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-9, 14-15 and 17-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Elgamal (5,671,279).

Regarding claims 1-2, which are exemplary of claims 17 and 25-26, Elgamal discloses a method for authorizing transactions, wherein a user equipment (fig. 1, element 16) receives an authorization request for a transaction with a hash of the authorization request (fig 1; col. 9, lines 43-60; col. 25, lines 47-66), which meets the limitation of an identifier of a transaction (specification p. 12, lines 1-2) and the user equipment replies to the request with an authorization response (fig. 2), said method comprising the steps of: calculating the identifier from the transaction information, transmitting the authorization request with the identifier to the user equipment (col. 9, lines 55-60; col. 5, lines 20-28), receiving the authorization request (fig. 1; col. 9, lines 55-60; col. 25, lines 44-57), determining the transaction information, which meets the limitation of an indication for the authorization request (col. 26, lines 13-21), output of the transaction information by the user equipment (col. 26, lines 13-21 and 64-66), waiting for an input to approve or disapprove the authorization request (col. 25, lines 44-57; col. 26, lines 13-21 and 64-66), signing the identifier (col. 9, line 60 – col. 10, line 12; col. 26, lines 13-21 and 64-66), and sending the authorization response according to the input, wherein an approving authorization response comprises the signed identifier (fig. 2; col. 9, line 60 – col. 10, line 12).

Regarding claim 14, Elgamal discloses a server for processing authorization procedures in a communication system comprising: an interface to exchange messages between the server and a user equipment connected to the communication system, a processing system adapted to send an authorization request for a transaction which is to be authorized to the user equipment and to receive an authorization response from the user equipment (figures 1 and 2), wherein the processing system is further adapted for calculating an identifier for the transaction information, including the identifier in the authorization request (col. 9, lines 43-44 and 55-60) and transmitting the authorization request to the user equipment, wherein the user equipment determines an indication for the authorization request, and the server being adapted for checking the authorization response for the identifier signed by the user equipment (col. 9, line 61 – col. 10, line 12; col. 28, line 65 – col. 29, line 21).

Regarding claims 3, 18 and 27, Elgamal further discloses that a check is performed whether the authorization request comprises a string (T) and the indication is the detected string (T) (col. 25, lines 44-51; col. 26, lines 13-21 and 64-65).

Regarding claims 4, 19 and 28, Elgamal further discloses that the displayed indication is included in the authorization response (col. 9, lines 61-67).

Regarding claims 5, 20 and 29, Elgamal further discloses that a check is performed whether a connection is classified as safe and the indication is selected according to the check (col. 9, lines 4-7).

Regarding claims 6, 21 and 30, Elgamal further discloses that the authorization request comprises a signature of the sender and a check of the sender signature is performed (col. 9, line 60; col. 28, lines 4-8).

Regarding claims 7 and 22, Elgamal further discloses that the indication is selected according to the check (col. 4, lines 51-57).

Regarding claims 8-9, 23-24 and 31-32, Elgamal further discloses using a timestamp as an additional parameter in any type of message (col. 9, line 60; col. 28, lines 4-8).

Regarding claim 15, Elgamal further discloses that the server comprises an interface to receive messages from a further entity and the processing system is adapted to extract the content for authorization from a message received from the further network entity and to send a reply to the further network entity, wherein the reply is determined by the authorization response (fig. 2, col. 29, lines 36-38).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 10-13 and 33-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elgamal as applied to claims 7 and 14 above, and further in view of

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"WMLScript Crypto Library". Elgamal does not disclose that the authorization request is sent by a server (MS) after reception of a message from a further entity and the server forwards an approval of the identifier and the indication to the further entity. The "WMLScript Crypto Library" reference discloses that an authorization request including an identifier is sent by a proxy server to a mobile device after the proxy server receives a message from a further entity and the proxy server forwards an approval of the identifier and the indication to the further entity (p. 14, section 6.1, Usage with signText; Section 6.2, Hash Calculation and Relationship to PKCS#7 SignedData, "When a mobile device ... not supporting WAP signed content type"; p. 15, "A proxy server MAY construct ... WML or WMLScript"). It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the Elgamal method such that the authorization request is sent by a server (MS) after reception of a message from a further entity and the server forwards an approval of the identifier and the indication to the further entity, as taught in the "WMLScript Crypto Library" reference. The motivation for doing so would have been to enable end-to-end signed content verification with servers not supporting the WAP signed content type.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,903,878 to Talati et al.

U.S. Patent No. 6,047,268 to Bartoli et al.

U.S. Patent No. 6,317,729 to Camp et al.

U.S. Patent No. 6,850,916 to Wang

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Dinh whose telephone number is 571-272-3802. The examiner can normally be reached on Mon-Fri: 10:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

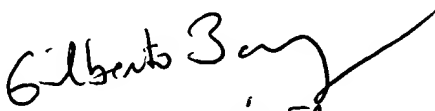
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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MD

Minh Dinh
Examiner
Art Unit 2132

MD
4/05/05


GILBERTO BARRÓN JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100